IN THE CLAIMS:

A rewritten version of the entire set of pending claims is as follows:

1. (Amended) A method for updating a current boot code in a data processing system in which the current boot code is used to load an operating system, the method comprising the data processing system implemented steps of:

loading a current boot code from a non-volatile memory;

initiating a boot sequence using the current boot code;

searching a storage device for an updated boot code for the operating system in response to initiating the boot sequence; and

updating the current boot code in the non-volatile memory prior to loading the operating system for the data processing system if the updated boot code is present.

2. (Unchanged) The method of claim 1, wherein the storage device is a non-volatile random access memory.

3. (Unchanged) The method of claim 1, wherein the operating system is stored on the storage device.

4. (Unchanged) The method of claim 3, wherein the storage device is a removable storage device locally connected to the data processing system.

5. (Unchanged) The method of claim 1 further comprising:

loading the operating system using the current boot code if the updated boot code is absent.

6. (Unchanged) The method of claim 1, wherein the updating step comprises:

replacing the current boot code with the updated boot code prior to loading the operating system.

7. (Unchanged) The method of claim 1, wherein the updating step forms a new current boot code and further comprises:

restarting the data processing system using the new current boot code; and

loading the operating system using the new current boot code.

8. (Unchanged) The method of claim 1, wherein the updated boot code is present if a boot code is present on the storage device in which the boot code is a later version of the current boot code.

9. (Unchanged) The method of claim 1, wherein the updated boot code is present if a boot code is located on the storage device.

10. (Amended) A method in a data processing system for loading an operating system using a boot code, the method comprising:

loading a current boot code;

searching, by the current boot code, for an updated boot code prior to loading the operating system;
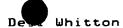
determining, by the current boot code, whether the updated boot code is a later version of the current boot code; and

updating the current boot code using the updated boot code responsive to the updated boot code being a later version of the current boot code.

11. (Unchanged) The method of claim 10, wherein the searching step comprises:

searching a local storage device for the updated boot code prior to loading the operating system.

12. (Amended) The method of claim 11, wherein the local storage device contains the operating system.

13. (Unchanged) The method of claim 10, wherein the searching step comprises:

searching a storage device located remotely to the data processing system for the updated boot code prior to loading the operating system.

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14. (Unchanged) The method of claim 13, wherein the storage device is located on a server.

15. (Unchanged) A data processing system comprising:

a bus;

a first storage device connected to the bus, wherein the first storage device includes current boot code instructions;
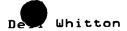
a second storage device connected to the bus, wherein an operating system is located on the second storage device; and

a processor unit connected to the bus, wherein the processor unit executes the current boot code instructions check to determine whether updated boot code instructions are present in the second storage device, updates the current boot code instructions using the updated boot code instructions to form an updated set of boot code instructions if the updated boot code instructions are present on the second storage device, reinitializes the data processing system using the updated set of boot code instructions if the current boot code instructions are updated, and loads the operating system using the updated set of boot code instructions.

16. (Unchanged) The data processing system of claim 15, wherein updating of the current boot code instructions is performed by replacing the current boot code instructions in the first storage device with the updated boot code instructions in the second storage device.

17. (Unchanged) The data processing system of claim 15, wherein the processor unit loads the operating system using the current boot code instructions if updated boot code instructions are absent on the second storage device.

18. (Unchanged) The data processing system of claim 17, wherein the updated boot code instructions are present if any boot code instructions are present on the second storage device.

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19. (Unchanged) The data processing system of claim 17, wherein the updated boot code instructions are present if a newer version of the current boot code instructions is present.

20. (Unchanged) The data processing system of claim 15, wherein the first storage device is a non- volatile random access memory.

21. (Unchanged) The data processing system of claim 15, wherein the second storage device is one of a removable non-volatile random access memory, a hard disk drive, a floppy disk, a CD-ROM, and a DVD-ROM.

22. (Amended) The data processing system of claim 15, wherein the data processing system is one of a laptop computer, a palmtop computer, a personal computer, and a personal digital assistant.

23. (Amended) A data processing system for updating a current boot code in which the current boot code is used to load an operating system, the data processing system comprising:

> loading means for loading a current boot code from a non-volatile memory;
> initiating means for initiating a boot sequence using the current boot code;
> searching means for searching a storage device for an updated boot code for the operating system in response to initiating the boot sequence; and
> updating means for updating the current boot code in the non-volatile memory prior to loading the operating system for the data processing system if the updated boot code is present.

24. (Unchanged) The data processing system of claim 23, wherein the storage device is a non-volatile random access memory.

25. (Unchanged) The data processing system of claim 23, wherein the operating system is stored on the storage device.

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26. (Unchanged) The data processing system of claim 25, wherein the storage device is a removable storage device locally connected to the data processing system.

27. (Unchanged) The data processing system of claim 23 further comprising:

loading means for loading the operating system using the current boot code if the updated boot code is absent.

28. (Unchanged) The data processing system of claim 23, wherein the updating means comprises:

replacing means for replacing the current boot code with the updated boot code prior to loading the operating system.

29. (Unchanged) The data processing system of claim 23, wherein the updating means generates a new current boot code and further comprises:

restarting means for restarting the data processing system using the new current boot code; and

loading means for loading the operating system using the new current boot code.

30. (Unchanged) The data processing system of claim 23, wherein the updated boot code is present if a boot code is present on the storage device in which the boot code is a later version of the current boot code.

31. (Unchanged) The data processing system of claim 23, wherein the updated boot code is present if a boot code is located on the storage device.

32. (Amended) A data processing system for loading an operating system using a boot code, the data processing system comprising:

loading a current boot code;

searching means for searching, by the current boot code, for an updated boot code prior to loading the operating system;

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determining means for determining, by the current boot code, whether the updated boot code is a later version of the current boot code; and

updating means for updating the current boot code using the updated boot code responsive to the updated boot code being a later version of the current boot code.

33. (Unchanged) The data processing system of claim 32, wherein the searching means comprises:

means for searching a local storage device for the updated boot code prior to loading the operating system.

34. (Amended) The data processing system of claim 33, wherein the local storage device contains the operating system.

35. (Unchanged) The data processing system of claim 32, wherein the searching means comprises:

means for searching a storage device located remotely to the data processing system for the updated boot code prior to loading the operating system.
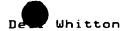
36. (Unchanged) The data processing system of claim 35, wherein the storage device is located on a server.

37. (Amended) A computer program product in a computer readable medium for updating a current boot code in a data processing system in which the current boot code is used to load an operating system, the computer program product comprising:

first instructions for loading a current boot code from a non-volatile memory;

second instructions for initiating a boot sequence using the current boot code;

third instructions for searching a storage device for an updated boot code for the operating system in response to initiating the boot sequence; and

fourth instructions for updating the current boot code in the non-volatile memory prior to loading the operating system for the data processing system if the updated boot code is present.

38. (Amended) A computer program product in a computer readable medium for loading an operating system using a boot code, the computer program product comprising:

first instructions for loading a current boot code;

second instructions for searching, by the current boot code, for an updated boot code prior to loading the operating system;

third instructions for determining, by the current boot code, whether the updated boot code is a later version of the current boot code;

fourth instructions for updating the current boot code using the updated boot code responsive to the updated boot code being a later version of the current boot code.

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